

DAVID H. KRAMER, State Bar No. 168452  
LISA A. DAVIS, State Bar No. 179854  
BART E. VOLKMER, State Bar No. 223732  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
Facsimile: (650) 565-5100  
[DKramer@wsgr.com](mailto:DKramer@wsgr.com)

JONATHAN M. JACOBSON, N.Y. State Bar No. 1350495  
WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
12 East 49th Street, 30th Floor  
New York, NY 10017-8203  
Telephone: (212) 999-5800  
Facsimile: (212) 999-5899  
[JJacobson@wsgr.com](mailto:JJacobson@wsgr.com)

Attorneys for Defendant  
Google Inc.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

KINDERSTART.COM, LLC, a California  
limited liability company, on behalf of itself and  
all others similarly situated,

Plaintiffs,

v.

GOOGLE INC., a Delaware corporation,

Defendant.

CASE NO.: C 06-2057 JF (RS)

**DECLARATION OF BART E.  
VOLKMER IN SUPPORT OF  
DEFENDANT'S MOTION TO  
DISMISS THE FIRST AMENDED  
COMPLAINT AND DEFENDANT'S  
SPECIAL MOTION TO STRIKE  
PURSUANT TO CCP § 425.16**

Before: Hon. Jeremy Fogel  
Date: June 30, 2006  
Time: 9:00 a.m.  
Courtroom: 3

1 I, Bart E. Volkmer, declare as follows:

2 1. I am an attorney duly licensed to practice before this Court, and an associate of  
3 the law firm of Wilson, Sonsini, Goodrich & Rosati, counsel to defendant Google, Inc.  
4 (“Google”). I am over the age of eighteen and competent to make this declaration. I make each  
5 of the following statements based on my personal knowledge, and I could, if necessary, testify to  
6 the truth of each of them.

7 2. Attached hereto as Exhibit A is a true and correct copy of Google AdSense™  
8 Online Standard Terms and Conditions printed from [https://www.google.com/adsense/localized-](https://www.google.com/adsense/localized-terms)  
9 terms on April 20, 2006

10 3. Attached hereto as Exhibit B is a true and correct copy of correspondence from  
11 Gregory J. Yu to David H. Kramer, dated March 30, 2006.

12 I declare under penalty of perjury under the laws of the State of California law that the  
13 foregoing is true and correct to the best of my knowledge. Executed on May 2, 2006 at Palo  
14 Alto, California.

15  
16 WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

17  
18 By: /s/ Bart E. Volkmer  
Bart E. Volkmer

19 Attorneys for Defendant  
20 Google Inc.